

### REMARKS

Claims 1-2, 4, 9, 11, 15, 19-21, and 23 are pending with claims 1, 9, 15, and 20 being independent.

Independent claims 1, 9, 15, and 20 and dependent claims 2, 4, 11, 19, 21, and 23 have been rejected as being unpatentable over Yamaha (U.S. Patent No. 5,641,993) in view of Applicant Admitted Prior Art (AAPA).

Claims 1, 9, 15, and 20 recite a semiconductor device including “an alloy comprising at least one selected from the group consisting of *Ga and Sb*” (emphasis added), where Ga is gallium and Sb is antimony. Applicants request reconsideration and withdrawal of the rejection of claims 1, 9, 15, and 20 and their dependent claims because neither Yamaha, AAPA, nor any combination of the two describe or suggest the recited alloy.

The Office Action contends that Yamaha describes the recited alloy as existing in the contact hole Qb between the lower wiring layer 14 and the wiring layer 18B. However, though Yamaha describes a boundary film using the label “Sb,” the label does not refer to antimony. Rather, the label “Sb” is used to associate the boundary film with contact hole Qb and wiring layer 18B and to distinguish the boundary film from the other boundary film labeled “Sa,” which is associated with contact hole Qa and wiring layer 18A. Accordingly, applicants contend that the label “Sb” is merely a label and does not represent the chemical symbol for antimony. Accordingly, Yamaha does not describe or suggest the recited alloy including gallium and/or antimony. The AAPA also does not describe or suggest the recited alloy, and for at least these reasons, applicants request reconsideration and withdrawal of the rejection of claims 1, 9, 15, and 20, and their dependent claims.

Applicants submit that all claims are in condition for allowance.

Enclosed is a \$110 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Applicant : Yamazaki, et al.  
Serial No. : 09/814,255  
Filed : March 21, 2001  
Page : 3 of 3

Attorney's Docket No.: 07977-  
107002 / US3194/3205/3215D1

Respectfully submitted,

Date: 1/23/04

  
\_\_\_\_\_  
John F. Hayden  
Reg. No. 37,640

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

40197821.doc